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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

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15 UNITED STATES OF AMERICA,
16 vs.
17 Plaintiff,
18 VICTOR RODOLFO HERNANDEZ
19 FLORES,
20 Defendant.

No. CR 12-00101 CW

**STIPULATION AND [PROPOSED]
ORDER CONTINUING SENTENCING
HEARING**

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28 Defendant Victor Rodolfo Hernandez Flores, by and through his counsel Edward W. Swanson, and the United States, by and through Assistant United States Attorney Maureen Onyeagbako, hereby stipulate and agree as follows:

1) Sentencing for Mr. Flores is scheduled for January 7, 2013 at 2:00 p.m.
2) Counsel for Mr. Flores previously submitted a subpoena for records relevant to Mr. Flores's most recent entry into the United States. The original subpoena did not produce the records Mr. Flores sought, and counsel therefore needs to resubmit the subpoena in order to obtain the desired records. Counsel is currently seeking information necessary to resubmit the subpoena in order to obtain the necessary records.

3) Mr. Flores hereby requests a continuance of his sentencing hearing from January 7, 2013 at 2 p.m. to February 11, 2013 at 2 p.m. to allow time for counsel to resubmit and obtain the subpoena for records.

4) Probation Officer Jessica Goldsberry has no objection to the continuance.

IT IS SO STIPULATED.

Dated: November 19, 2012

/S/

Edward W. Swanson
SWANSON & McNAMARA LLP
Attorney for
Victor Rodolfo Hernandez Flores

Dated: November 19, 2012

/S/

Maureen Onyeagbako
Special Assistant United States Attorney

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/20/2012


Hon. Claudia Wilken
United States Chief District Judge